RESOLUTION NO. 13 SERIES OF 1998

INTRODUCED BY COUNCILLORS

WHEREAS, the City of Westminster participated in the former Future Site Use Working Group as a stakeholder representing local governments concerning future use planning at the Rocky Flats Environmental Technology Site; and

WHEREAS, the purpose of the Future Site Use Working Group was to develop long-term future use options for the Rocky Flats Environmental Technology Site (Site), which the United States Department of Energy, United States Environmental Protection Agency, and the Colorado Department of Public Health and Environment would use for the long-term future Site use as input into their cleanup decisions at the Site; and

WHEREAS, the Westminster City Council resolved by Resolution No. 7, February 13, 1995, that:

- 1) The entire RFETS could be come a nationally recognized preservation, environmental technology, and interpretive center reflecting the history of Rocky Flats and the Site's unique ecological systems;
- 2) The core area of the Site be cleaned up and used for environmental technologies;
- 3) The undeveloped areas around the plant would be preserved as open space.
- 4) Recommended that highly contaminated areas be cleaned and rehabilitated as open space with limited access and the northwest corner of the Site continue to be used for wind research and other environmental technology and no other commercial development or mining activity would be allowed on the Site.
- 5) Requested any possible W470/Northwest Parkway alignment designation be along the south border of the property (96th Avenue) for a connection with 100th Avenue in the City of Westminster.
- 6) Recommended that no work on the Parkway construction begin until diversion facilities to prevent runoff from reaching Standley Lake are operational and proper steps are taken to protect Standley Lake from airborne pollution, due to construction activities.

WHEREAS, the 1995 Resolution was approved prior to adoption of the Rocky Flats Cleanup Agreement and the United States Department of Energy's development of an accelerated cleanup and closure plan for the Site: and

WHEREAS, the Rocky Flats Local Impacts Initiative convened a Facility and Infrastructure Reuse Task Force in July of 1997, to determine the possibility of reusing 8 buildings located within the 350-acre southwest corner of the industrial area; and

WHEREAS, cleanup and closure of the Site is scheduled to occur sometime between the years 2010 and 2015. The United States Department of Energy has indicated it will not maintain these buildings, nor provide infrastructure for them; therefore, reuse of the buildings is not deemed feasible from a strictly market viability and economic viewpoint; and

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- 3. A significant amount of industrial commercial and office zoning presently exists in proximity to the Rocky Flats Environmental Technology Site that can provide employment to compensate for the loss of jobs due to closure. Development at the Rocky Flats Environmental Technology Site will contribute to dispersed development located far from residential development and will thus contribute to urban sprawl and air pollution.
- 4. Designating the buffer zone and industrial area at the Rocky Flats Environmental Technology Site as open space will serve to increase the value of adjoining properties and provide the entire community with a buffer from future development in the designated zones adjoining the Site. A designation as a Federal Wildlife Preserve such as was given to the Rocky Mountain Arsenal would provide a unique area of open space within the neighboring communities. This designation will facilitate the movement of wildlife through a wide corridor from the mountains, foothills to the plains, and protect the habitat of the Prebles Jumping Mouse, which could potentially be listed an endangered species.
- 5. A comprehensive and connected regional open space system can then be developed that will be enhanced by the existing publicly owned open space.
- 6. An unprecedented corridor of open space connecting Standley Lake, Colorado Hills, Great Western, Boulder Open Space, Boulder County open space, and Jefferson County open space will be created. The Buffer Zone's unique ecological systems should be preserved with special interpretive sites reflecting unique natural resources. Visitor access would be managed by a trail system engineered to protect the unique resources of the zone.
- 7. An open space land use designation for the Site will aid in overcoming the negative image of the Site and serve as a resource for healing the memories of a community that has been deeply affected by the lack of concern about the impacts to the environment, downwind communities, and surface as well as drinking water sources during the Site's production years.
- 8. The W-470 interchange should be aligned south and east of the Site, using as much of the existing Indiana Street right-of-way as possible to minimize impacts to the City's open space and Woman Creek Reservoir. The alignment should be designated as a freeway and built to interstate highway standards and not as a parkway as proposed. This project should not be financed locally, but should be built as a project of the United States Department of Transportation utilizing state and or federal funds.
- 9. Any further planning of the Northwest Parkway must include the design and funding of storm water diversions for the protection of the Standley Lake watershed from Rocky Flats Environmental Technology Site cleanup and development south of the Rocky Flats Environmental Technology Site.
- 10. This Resolution shall be distributed to Governor Romer and State agencies involved in Rocky Flats Environmental Technology Site issues, the Colorado Congressional Delegation, the United States Department of Energy Headquarters and Rocky Flats Field Office, local governments, Chambers of Commerce and the Rocky Flats Local Impacts Initiative, as well as Industrial Area Transition Task Force Members and consultants, Rocky Flats Citizens Advisory Board, Rocky Mountain Peace and Justice Center, and the Sierra Club.

Passed and adopted this 23rd day of February, 1998.

ATTEST:

Mayor

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WHEREAS, the scope of work and title of the task force has been upgraded to Industrial Area Transition Task Force with a purpose of developing a "Preferred Plan" for the future use of the Industrial Area. Recent work of the Industrial Area Task Force indicates support for an expanded use of some of the buildings by running new utilities from an off-Site provider and thereby increasing the likelihood of future development; and

WHEREAS, previous assumptions on the extent of Site cleanup and removal of radioactive and hazardous waste and material contamination above and below ground prior to both the cleanup agreement and closure plan are no longer valid. The Accelerated Site Cleanup Plan indicates highly contaminated building foundations in the industrial area, old landfills, and other radioactively contaminated areas will be capped, additional storage buildings may be built for waste, and underground storage tanks will be drained and closed in place and not removed; and

WHEREAS, an undetermined amount of contamination has leaked underground from the tanks as well as old radioactive and hazardous chemical waste process lines which will be left in place. A large amount of radioactive and hazardous chemical contamination, as well as contaminated ground water will be left at the Site after cleanup and closure; and

WHEREAS, any disturbances of soil for excavation of foundations or placement of new utility lines through the buffer zone or other contaminated areas for development at the Site will disturb the zone's unique ecosystem and may cause migration of contamination into the drainages of Woman Creek and Walnut Creek, which flow through the City of Westminster. Movement of contaminated ground water could result from on-Site construction activities. Airborne releases of contaminants during excavation could have a negative impact on community businesses; residents; and Standley Lake, the drinking water supply for over 200,000 north metropolitan area citizens; and

WHEREAS, the United States Department of Energy will have stewardship responsibilities at the Site beyond cleanup and closure. Institutional controls will need to be in place to control contaminated area access and monitor for the migration of contaminants left on-Site that could affect downwind communities in the future.

NOW THEREFORE, be it resolved that the Westminster City Council wishes to amend Resolution No. 7, adopted February 13, 1995, and resolves as follows:

- 1. All buildings and foundations be demolished and removed as part of the cleanup and closure of the Rocky Flats Environmental Technology Site. Capping of part of the contaminated protected area or other Site areas is not an acceptable means to achieving cleanup and early closure. These areas will require fencing and institutional controls for an extremely long period of time. The life cycle costs of the Institutional Controls necessary after the current cleanup and closure plan are complete will be significantly reduced if more money is designated to cleaning up contaminated areas of the Site to as Low As Reasonably Achievable standards.
- 2. The highest and best use of the industrial area at the Rocky Flats Environmental Technology Site is open space; however, because of the geology of the Site, unique weather conditions, and density of downwind populations, the cleanup of plutonium contamination in the industrial area should be set at a more protective standard than would ordinarily be considered for open space use.

